

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BOARD OF TRUSTEES of the PIPE FITTERS)	
RETIREMENT FUND, LOCAL 597;)	
BOARD OF TRUSTEES of the PIPE FITTERS)	CIVIL ACTION
WELFARE FUND, LOCAL 597;)	
BOARD OF TRUSTEES of the PIPE FITTERS)	
TRAINING FUND, LOCAL 597; the)	NO. 07 CV 2953
BOARD OF TRUSTEES of the CHICAGO AREA)	
MECHANICAL CONTRACTING INDUSTRY)	
IMPROVEMENT TRUST; and)	
THE PIPE FITTERS' ASSOCIATION,)	JUDGE: MANNING
LOCAL 597 U.A.,)	
)	
Plaintiffs,)	
)	MAGISTRATE JUDGE: VALDEZ
vs.)	
)	
BSG CONSTRUCTION, INC.,)	
an Illinois Corporation,)	
GI-LA BUILDERS, INC.)	
an Illinois Corporation, and)	
FRANK GILL, an individual)	
)	
Defendant.)	
)	

MOTION FOR FINAL JUDGMENT

Now come Plaintiffs, the BOARD OF TRUSTEES of the PIPE FITTERS' RETIREMENT FUND, LOCAL 597, *et al.*, by and through their attorneys, JOHNSON & KROL, LLC, and move this Honorable Court for entry of Final Judgment in favor of Plaintiffs and against Defendants BSG CONSTRUCTION, INC., ("BSG"), GI-LA BUILDERS, INC., ("GI-LA"), and FRANK GILL ("GILL") and in support thereof, state as follows:

1. On January 23, Plaintiffs filed their First Amended Complaint in the above-captioned matter against Defendants BSG, GI-LA and GILL for unpaid contributions, liquidated damages and interest pursuant to the terms of the Collective Bargaining Agreement and

Trust Agreements to which Defendant BSG is bound.

2. On or about June 12, 2008, Plaintiffs entered into a Stipulation with Defendants BSG, GI-LA and GILL, in which Defendants BSG, GI-LA and GILL stipulated to their liability in this case.
3. A Stipulated Judgment Order was entered by this Court on July 7, 2008. (The Stipulated Judgment Order is attached as Exhibit 1).
4. Pursuant to the terms of the Stipulated Judgment Order, Defendants BSG and GI-LA were ordered to submit to a Trust Funds audit so that the full extent of their liability to the Plaintiffs could be determined.
5. Pursuant to the terms of the Stipulated Judgment Order, Defendants BSG, GI-LA and GILL were ordered to pay all delinquent contributions, deficiencies and wage deduction payments that were revealed by the audit.
6. The audit of Defendants BSG and GI-LA was conducted by Legacy Professionals, LLP on or about July 14, 2008 and completed on November 17, 2008. (A copy of the Audit Report is attached as Exhibit 2).
7. The audit revealed approximately \$528,102.26 in unpaid contributions, deficiencies and wage deduction payments owed by Defendant BSG and GI-LA. (Affidavit of Thomas Moy is attached as Exhibit 3).
8. Pursuant to the terms of the Stipulated Judgment Order, Defendants BSG, GI-LA and GILL are required to pay all reasonable attorney's fees and costs incurred by the Plaintiffs. (Exhibit 1).
9. Defendants BSG, GI-LA and GILL currently owe the Plaintiffs reasonable attorney's fees and costs in the amount of \$13,743.95 for the period of November 1, 2007 through the

present. (Affidavit of William P. Callinan is attached as Exhibit 4).

10. The total principal balance due and owing to the Plaintiffs from Defendants BSG, GI-LA and GILL is \$541,846.21. (*See* Affidavit of Thomas Moy and Affidavit of William P. Callinan).
11. A Draft Judgment Order is attached as Exhibit 5.

WHEREFORE, Plaintiffs respectfully request this Honorable Court enter Final Judgment in favor of Plaintiffs and against the Defendants BSG, GI-LA and GILL in the amount of \$541,846.21 and for other such relief as this Court deems just and equitable all at Defendant's cost pursuant to 29 U.S.C. §1132(g)(2)(E).

Respectfully submitted,

JOHNSON & KROL, LLC

By: /s/ William P. Callinan - 6292500
One of Plaintiffs' Attorneys

William P. Callinan
ATTORNEY FOR PLAINTIFFS
Johnson & Krol, LLC
208 South LaSalle Street, Suite 1602
Chicago, Illinois 60604
(312) 372-8587